

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DIAGEO NORTH AMERICA, INC.,

Plaintiff/Counterclaim Defendant,

v.

**W.J. DEUTSCH & SONS LTD. d/b/a DEUTSCH
FAMILY WINE & SPIRITS, and BARDSTOWN
BARREL SELECTIONS LLC,**

Defendants/Counterclaim Plaintiffs.

ECF CASE

Case No. 1:17-cv-04259-LLS

Hon. Louis L. Stanton

**ORAL ARGUMENT
REQUESTED**

**DEFENDANTS/COUNTERCLAIM PLAINTIFFS' NOTICE OF MOTION TO
EXCLUDE PLAINTIFF/COUNTERCLAIM DEFENDANT'S EXPERT GLENN MAY**

Deutsch hereby moves this Court under Federal Rules of Evidence 403, 702, and 703 and *Daubert* for an order excluding any and all testimony, references to testimony, or arguments based upon the testimony or expert report of Glenn May, expert witness for Diageo. The motion is based on the ground that the subject matter of Mr. May's opinion and testimony is inadmissible because he lacks the necessary qualification and his opinion and testimony is improper, baseless, speculative, more prejudicial than probative, outside of Mr. May's personal knowledge or expertise, non-scientific, irrelevant to the matters at issue in this litigation, withdrawn, and addresses matters that are reserved for the jury, and/or will confuse the issues or mislead the jury.

Respectfully submitted,

Dated: December 16, 2020

By:


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